a microprocessor, in response to the manipulation command input via said key input,
that

writes a program list based on program guide information stored in said memory,
and

searches for accessible channels to obtain program guide information being
broadcast by controlling said tuner in a background operation while a user refers to the program
list; and

a character signal generator generating a character signal corresponding to the program
list written by said microprocessor and providing the character signal to a screen.

28.   (ONCE AMENDED) An apparatus comprising:

means for detecting program guide information being broadcast corresponding to
channels in relation to a tuned channel; and

means for searching for accessible channels of the channels based upon a command
received, the program guide information, and a relation to the tuned channel.

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 3, 5, 12, 19, and 28 have been amended.
No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-29 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at pages 2-9, the Examiner rejects claims 1-3, 5-10, 12-15, 19-23,
and 25-29 under 35 U.S.C. §102(e) in view of Otsuki et al. (U.S. Patent No. 5,929,932). This
rejection is traversed and reconsideration is requested.

THE DISCLOSURE IN OTSUKI ET AL.

Otuski et al. discloses a program guide display controller for use with a Digital Satellite
Broadcasting System (hereinafter "DSS"). Under DSS, program guide information is broadcast
from a satellite at predetermined time intervals together with image data. The program guide
information includes information on the programs currently being displayed as well as program
programs being broadcast in the future. (Col. 1, lines 12-20) Once received at these time

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intervals, the program guide information is stored in a memory from which an on-screen image producing circuit 4 produces a program guide screen. (Col. 8, lines 14-25; FIG. 8) As such, Otuski et al. discloses acquiring all of the program guide information for all of the channels at predetermined intervals from the satellite, storing the program guide information in a working memory, and recalling this information from the working memory in the form of a display table. (Col. 14, lines 49-65; FIG. 20) Since the program guide information is acquired at the predetermined time intervals, there is no disclosure that the user or a CPU 6 is able to, on command, acquire the program guide information from the satellite, or that the program guide information is acquired from the satellite in a background operation while a display table is referred to without displaying a program being received. Further, since the program guide information is received for all channels at these predetermined time intervals, there is no disclosure that the channels are searched or otherwise scanned in order to obtain the program guide information.

Once displayed, the user operates an operation section 5, such as a remote control, to move a cursor to manipulate the program guide information stored in the working memory to customize the display table. As shown in FIG. 8, the user selected a program guide screen sorted by time and where a category is restricted to sports, selects a program 2 by moving a cursor using the operation section 5. (Col. 8, lines 14-25; FIG. 8) The order of the display is either alphabetical or numerical, based on the input of the user. (Col. 15, lines 31-40, 63-67; FIG. 21) Further, the display table overlays a program being displayed such that the program is always displayed while the display table is displayed. (Col. 5, lines 44-47; FIG. 8) Therefore, Otuski et al. discloses displaying and sorting the program guide information in a display table based upon stored program guide information and an index of first letters, but does not disclose that the display and sorting is based upon a relationship with a channel being displayed prior to executing a program guide command.

OTSUKI ET AL. DOES NOT DISCLOSE ACQUIRING THE PROGRAM GUIDE INFORMATION WHILE A PROGRAM BEING RECEIVED IS NOT DISPLAYED AS RECITED IN CLAIM 1.

On page 3 of the Office Action, the Examiner asserts that the operation section 5 of Otsuki et al. is able to access the program guide information while the program is not displayed using the cursor-moving buttons 5a through 5f. However, since the buttons 5a through 5f are disclosed as being used only when the display table is displayed, and the display table is only

displayed when superimposed over the program being received as shown in FIG. 8, Otsuki et al. discloses that the program guide information is acquired from the working memory while the program being received is displayed.   In contrast, claim 1 recites that the program guide information is acquired while a program being received is not displayed. As such, it is respectfully submitted that Otsuki et al. does not disclose "acquiring the remaining program guide information for each channel by scanning accessible channels *while the program being received is not displayed*" as recited in claim 1.

<u>OTSUKI ET AL. DOES NOT DISCLOSE ACQUIRING THE PROGRAM GUIDE INFORMATION BY SCANNING OR SEARCHING CHANNELS AS RECITED IN CLAIMS 1, 6, 12, AND 19.</u>

On page 3 of the Office Action, the Examiner asserts that the operation section 5 of Otsuki et al. is able to access the program guide information by scanning for accessible channels using the cursor-moving buttons 5a through 5f. However, while the program guide information is acquired at predetermined time intervals from the satellite, and this stored program guide information is manipulated by the operation section 5, Otsuki et al. does not disclose scanning the channels to acquire the program guide information being broadcast. In contrast, claim 1 recites that the program guide information being broadcast is acquired by scanning the accessible channels. As such, the invention recited in claim 1 acquires the program guide information through a search of the channels, whereas Otsuki et al. relies on stored program guide information. Therefore, it is respectfully submitted that Otsuki et al. does not disclose "acquiring the remaining program guide information being broadcast for each channel by scanning accessible channels" as recited in claim 1, and similarly recited in claims 12 and 19.

While it is believed that one of ordinary skill in the art would have understood that, when the program guide information is acquired, it is acquired from a broadcast and not from a memory, claims 1, 12, and 19 have been amended to explicitly point out this feature and not to otherwise narrow the scope of the claims.

Similarly, it is respectfully submitted that Otsuki et al. does not disclose "acquiring the program guide information for each channel by searching for the accessible channels" as recited in claim 6.

<u>OTSUKI ET AL. DOES NOT DISCLOSE ACQUIRING THE PROGRAM GUIDE INFORMATION IN RESPONSE TO A PROGRAM GUIDE COMMAND AS RECITED IN CLAIM 3.</u>

On pages 3-4 of the Office Action, the Examiner asserts that the recited acquiring the program guide information is met by the memory 9, which stores the program guide information. However, as noted above in the discussion on claim 1, the program guide information is acquired at predetermined time intervals from the satellite, and this stored program guide information is manipulated by the operation section 5. Thus, while <u>Otsuki et al.</u> discloses recalling program guide information from the memory 9, there is no disclosure that the operation section 5 controls or otherwise affects the acquisition of program guide information from the satellite. In contrast, claim 3 recites that the program guide information is acquired in response to a program guide command. As such, the invention recited in claim 3 acquires the program guide information as requested by the user, whereas <u>Otsuki et al.</u> relies on stored program guide information. Therefore, it is respectfully submitted that <u>Otsuki et al.</u> does not disclose "acquiring program guide information of accessible channels being broadcast *in response to the program guide command*" as recited in claim 3.

While it is believed that one of ordinary skill in the art would have understood that, when the program guide information is acquired, it is acquired from a broadcast and not from a memory, claim 3 has been amended to explicitly point out this feature and not to otherwise narrow the scope of the claim.

<u>OTSUKI ET AL. DOES NOT DISCLOSE DETERMINING WHETHER THE PROGRAM GUIDE INFORMATION IS EFFECTIVE AS RECITED IN CLAIM 5.</u>

On page 4 of the Office Action, the Examiner asserts that the recited determining whether the program guide information is effective is disclosed by the time priority mode shown in FIG. 10 of <u>Otsuki et al.</u> However, the display table shown in FIG. 10 merely sorts the stored program guide information stored in the memory 9. (Col. 9, lines 22-32; FIG. 10) There is no disclosure that the time priority mode determines whether the program guide information is effective, or that the CPU 6 compares the current time to an effective period of the stored program guide information to make the determination.

Further, even assuming arguendo that the time priority mode determines that the program guide information is effective, there is no disclosure that a program list such as that shown in FIG. 10 is written using the stored program guide information prior to acquiring the

program guide information when the program guide information is determined to be effective. Specifically, since Otsuki et al. discloses that the program guide information is always recalled from the memory 9 in order to create the display table, the display table is always written using the stored program guide information. As such, Otsuki et al. also does not disclose writing the display table from the stored program guide information when the stored program guide information is effective.

In contrast, claim 5 recites determining whether the stored program guide information is effective so as to determine whether the program guide information is outdated or ineffective. Further, claim 5 recited that, if the stored program guide information is effective, the program list is written using the stored program guide information. As a result, the program guide information need not be acquired. As such, it is respectfully submitted that Otsuki et al. does not disclose "*determining whether the program guide information is effective* by comparing a current time to an effective period of stored program guide information," and "proceeding to said writing the program list *when the stored program guide information is effective*, before said acquiring the program guide information" as recited in claim 5.

<u>OTSUKI ET AL. DOES NOT DISCLOSE THAT THE DETERMINING THE SEQUENCE OF ACCESSING CHANNELS IS BASED UPON A PROXIMITY TO A CHANNEL TUNED PRIOR TO EXECUTING THE PROGRAM GUIDE COMMAND AS RECITED IN CLAIM 7, 10, 13, 20, 23, AND 27.</u>

On page 4 of the Office Action, the Examiner asserts that FIG. 20 of Otsuki et al. discloses determining a sequence of accessing channels based upon a proximity of the channels to the channel tuned prior to the program guide command being executed. By way of review, the procedure in FIG. 20 discloses the procedure for recalling stored program guide information to be displayed in a display table, where the display table can be indexed alphabetically. (Col. 14, lines 66-67; FIG. 20, step 202) The display table is listed alphabetically to produce an index of the first letters, which is stored in the memory 209. (Col. 15, lines 5-12; FIG. 20, step 203)

By depressing a list display button 216, the content of the display table is displayed. (Col. 15, lines 22-27; FIG. 21) If a normal list is selected, the program guide is displayed numerically using the display table beginning with the first program. (Col. 15, lines 31-35) If a list based upon the first letters is selected, the program guide is displayed alphabetically according to the stored index. (Col. 15-63-67) As such, Otsuki et al. discloses selectively

displaying a display table numerically or alphabetically, but does not disclose that the display table displays the program guide according to a proximity to the last channel tuned prior to executing a list display button 216 being pressed.

In contrast, claim 7 recites that the sequence of accessing channels is determined in accordance with the last channel tuned prior to the program guide command being executed. In this way, the recited invention prioritizes which channels are accessed for program guide information as a function of the last tuned channel, whereas Otsuki et al. merely displays numerical/alphabetical program lists without regard for the last tuned channel. As such, it is respectfully submitted that Otsuki et al. does not disclose "determining the sequence of accessing channels by proximity of channels to the channel tuned before the program guide command is executed" as recited in claim 7, and similarly recited in claims 13, 20, and 27.

It is further respectfully submitted that the alphabetical/numerical display disclosed in Otsuki et al., which is displayed without regard for the previously tuned channel, does not disclose "searching channels upward or downward from the channel tuned before the program guide command is executed " as recited in claim 10, and similarly in claim 23.

OTSUKI ET AL. DOES NOT DISCLOSE THAT THE DETECTION OF PROGRAM GUIDE INFORMATION IS RELATED TO A TUNED CHANNEL AS RECITED IN CLAIM 28.

On page 9 of the Office Action, the Examiner asserts that FIG. 20 of Otsuki et al. discloses detecting the program guide information in relation to a tuned channel by producing a display table and an index of the first letters of the titles of the programs. As noted above, FIG. 20 discloses acquiring the program guide information from the satellite at predetermined time intervals in step 201, and producing the display table based upon the stored program guide information in step 202. (Col. 14, lines 49-55, col. 15, lines 1-4; FIG. 20) Otsuki et al. therefore discloses that the detected program guide information is the stored program guide information. In contrast, claim 28 recites detecting the program guide information that is being broadcast, where the detecting of the program guide information is related to the tuned channel. As such, it is respectfully submitted that Otsuki et al. does not disclose "means for detecting program guide information being broadcast corresponding to channels in relation to a tuned channel" as recited in claim 28.

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PATENTABILITY OF REMAINING CLAIMS

Claims 2, 8, 9, 14, 15, 21, 22, 26, and 29 are deemed patentable due at least to their depending from corresponding claims 1, 7, 12, 20, and 28.

REJECTION UNDER 35 U.S.C. §103:

CLAIMS 4 AND 25

In the Office Action at pages 10-11, the Examiner rejects claims 4 and 25 under 35 U.S.C. §103 in view of Otsuki et al. and it being commonly known to display a message to a user informing the user either to wait or that the program guide information of a corresponding channel is not stored. The Examiner cites Otsuki et al. as providing all of the other steps and structure. The rejection is traversed and reconsideration is requested.

Since the Examiner relied upon the method disclosed in Otsuki et al. to disclose the program guide method, assuming arguendo that it is common knowledge to display the message to the user, this common knowledge does not cure the above noted deficiencies in Otsuki et al. with regard to claims 3 and 19. Therefore, it is respectfully submitted that, contrary to the assertions of the Examiner, the combination does not disclose or suggest the elements of claims 4 and 25 due at least to their depending from corresponding claims 3 and 19.

Further, as a motivation to combine the asserted display of the message to the user and the device disclosed in Otsuki et al., the Examiner asserts that one of ordinary skill in the art would have been motivated to make such a combination in order to improve the efficiency of the system operation. However, Otsuki et al. does not disclose that there is a need to improve the efficiency of the operation through additional communications with the user. Further, since Otsuki et al. discloses using stored program guide information, there is no delay in the display of the program list once the list display button 216 is pressed since the program guide information is already stored/acquired in memory. In addition, there is also no disclosure that the program guide information for a corresponding channel is ever not received or stored at the predetermined time intervals. Therefore, as there is no disclosed delay in the display of the program list or a disclosure that the program guide information is noted stored, it is unclear how one of ordinary skill in the art would be motivated to include a message indicating that the user must wait until the program list is written or that the program guide information is not stored.

As noted by MPEP 2143.01, an unsubstantiated statement that existing elements could be combined as it was in the skill of the art to do so does not provide a basis for a rejection under 35 U.S.C. 103(a). Instead, in order to establish a prima facie case for obviousness, the

rejection must detail the existence of the individual elements at the time of invention, and that there was an existing motivation to combine these elements contained in the then existing art. In essence, there needs to be proof that such a motivation exists, not conjecture. This rigorous proof is required in order to prevent the trap of impermissible hindsight. As such, it is respectfully submitted that there is insufficient evidence of a motivation to make the asserted combination to support a prima facie obviousness rejection of claims 4 and 25.

CLAIMS 11, 16-18, AND 24

On pages 11-12 of the Office Action, the Examiner rejects claims 11, 16-18, and 24 under 35 U.S.C. §103 in view of Otsuki et al. and Saitoh et al. (U.S. Patent No. 5,444,499). The Examiner cites Otsuki et al. as providing all of the other steps and structure except for a step of writing a probability distribution and searching channels according to the probability distribution, which the Examiner asserts is disclosed by Saitoh et al. The rejection is traversed and reconsideration is requested.

By way of review, Saitoh et al. discloses a controller 120 that learns favorite channels of a viewer for various time zones. This learned channel priority data is stored in a personal data memory 122. (Col. 5, lines 54-62; FIG. 6 of Saitoh et al.) Based upon the channel priority data stored in the personal data memory 122, when the television is turned on, the television tunes to the channel having the highest priority such that the users can "watch their favorite program at a particular time merely by turning on the television receiver." (Col. 6, lines 23-32 of Saitoh et al.) However, while Saitoh et al. discloses automatically tuning to a channel having the highest priority using the probability distribution, Saitoh et al. does not disclose that multiple channels are searched according to the probability distribution.

In contrast, claim 11 recites searching multiple channels according to a probability distribution of the channels, whereas Saitoh et al. merely displays the single channel having the highest priority. Since Otsuki et al. is not relied upon and does not disclose this feature, it is respectfully submitted that the combination of Otsuki et al. and Saitoh et al. does not disclose or suggest "searching the channels in an order of priority according to a probability distribution of channels" as recited in claim 11, and similarly recited in claim 24.

In addition, even assuming arguendo that Saitoh et al. does disclose the asserted features, it is unclear as to how the invention in Saitoh et al. would benefit the invention disclosed in Otsuki et al. as asserted by the Examiner. Specifically, Otsuki et al. discloses displaying a stored display table alphabetically/numerically, where the display table is based upon the program guide information that is downloaded from the satellite at predetermined

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times. As such, there is no need to reduce the tuning operations as stated by the Examiner since no tuning operations are performed as the program guide information is already stored for all the channels. As such, it is respectfully submitted that, even assuming arguendo that the combination of <u>Otsuki et al.</u> and <u>Saitoh et al.</u> discloses the recited elements, there is insufficient evidence of a motivation to combine <u>Otsuki et al.</u> and <u>Saitoh et al.</u> to establish a prima facie obviousness rejection of claim 11.

Similarly, it is respectfully submitted that there is insufficient evidence of a motivation to combine <u>Otsuki et al.</u> and <u>Saitoh et al.</u> to establish a prima facie obviousness rejection of claim 24.

Claims 16-18 are deemed patentable due at least to their depending from independent claim 11.

ATTACHMENT:

Attached hereto is a "Version With Markings to Show Changes Made," comprising a marked-up version of changes made to the Claims by the current amendment.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.
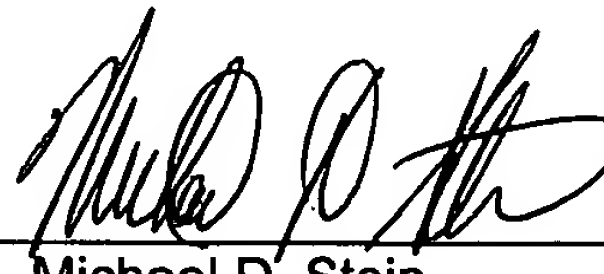
If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By: _____
Michael D. Stein
Registration No. 37,240

700 Eleventh Street, N.W.
Suite 500
Washington, D.C. 20001
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Date: 8/15/01

VERSION WITH MARKING TO SHOW CHANGES MADE

IN THE CLAIMS

Please **AMEND** claims 1, 3, 5, 12, 19, and 28, as follows. The remaining claims are reprinted, as a convenience to the Examiner, as they presently stand before the U.S. Patent and Trademark Office. ·

1. **(THREE TIMES AMENDED)** A method of acquiring program guide information for channels, comprising:

receiving the program guide information and a program, and acquiring the program guide information for the received program; and

acquiring the remaining program guide information being broadcast for each channel by scanning accessible channels while the program being received is not displayed.

2. **(AS TWICE AMENDED)**   The method of acquiring program guide information for channels as claimed in claim 1, wherein said acquiring the program guide information for each channel comprises obtaining the program guide information of the accessible channels by a tuner while the program received by the tuner is not displayed.

3. **(TWICE AMENDED)** A program guiding method in which a program list for channels is displayed in response to a program guide command, the method comprising:

acquiring program guide information of accessible channels being broadcast in response to the program guide command;

storing the acquired program guide information;

writing a program list on the basis of the stored program guide information; and

displaying the written program list to a user in response to the program guide command.

4. **(AS TWICE AMENDED)** The program guiding method as claimed in claim 3, further comprising providing a message indicating that the user must wait until the program list is written.

5. **(THREE TIMES AMENDED)** The program guiding method as claimed in claim 3, further comprising:

determining whether the program guide information is effective by comparing a current time to an effective period of stored program guide information, and

proceeding to said writing the program list when the stored program guide information is effective, before said acquiring the program guide information.

6. **(AS TWICE AMENDED)**   The program guiding method as claimed in claim 3, wherein said acquiring the program guide information comprises:

writing and displaying a program list including the program guide information of channels tuned before a program guide command is executed, from the stored program guide information, and

acquiring the program guide information for each channel by searching for the accessible channels in a background operation while the program list is referred to.

7. **(AS TWICE AMENDED)** The program guiding method as claimed in claim 3, wherein said acquiring the program guide information comprises determining the sequence of accessing channels by proximity of channels to the channel tuned before the program guide command is executed.

8. **(AS TWICE AMENDED)** The program guiding method as claimed in claim 7, wherein said acquiring the program guide information comprises determining the order of priority of channels having the same proximity to the channel tuned before the program guide command is executed according to a channel up/down command input before corresponding channels are accessed.

9. **(NOT AMENDED HEREIN)** The program guiding method as claimed in claim 7, wherein an upward or downward direction is preferential when no channel up/down command is executed.

10. **(AS TWICE AMENDED)** The program guiding method as claimed in claim 3, wherein said acquiring the program guide information comprises searching channels upward or downward from the channel tuned before the program guide command is executed.

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11. (AS TWICE AMENDED) The program guiding method as claimed in claim 3, further comprising writing a probability distribution of tuned channels, wherein said acquiring the program guide information comprises searching the channels in an order of priority according to a probability distribution of channels.

12. (THREE TIMES AMENDED) A program guiding method in which a program list for each channel is displayed in response to a program guide command, the method comprising:

writing and displaying a program list including program guide information of channels tuned before a program guide command is executed, from stored program guide information;

acquiring program guide information being broadcast for each channel by searching for accessible channels in a background operation while the program list is referred to;

storing the acquired program guide information for each channel;

rewriting a program list on the basis of the stored program guide information; and

displaying the rewritten program list to a user.

13. (AS TWICE AMENDED) The program guiding method as claimed in claim 12, wherein said acquiring the guide information comprises determining a sequence of accessing channels by the proximity of channels to the channel tuned before the program guide command is executed.

14. (AS TWICE AMENDED) The program guiding method as claimed in claim 12, wherein said acquiring the guide information comprises determining an order of priority of channels having the same proximity to the channel tuned according to a channel up/down command input before corresponding channels are accessed.

15. (NOT AMENDED) The program guiding method as claimed in claim 13, wherein an upward or downward direction is preferential when no channel up/down command is applied.

16. (AS TWICE AMENDED) The program guiding method as claimed in claim 11, wherein said acquiring the guide information comprises searching channels upward or downward from the channel tuned before the program guide command is executed.

17. (AS ONCE AMENDED) The program guiding method as claimed in claim 11, further comprising writing a probability distribution of tuned channels, and wherein the channels are searched for in the order of priority according to the probability distribution of channels.

18. (AS TWICE AMENDED) The program guiding method as claimed in claim 11, wherein said displaying the written program list comprises

displaying a message indicating a status of program guide information in response to the program guide information of a corresponding channel not being stored, and

displaying the program guide information of a corresponding channel in response to acquiring the program guide information of channels tuned before the program guide command is executed being acquired in said acquiring the program guide information.

19. (FOUR TIMES AMENDED) An apparatus for acquiring program guide information of accessible channels and guiding program guide information acquired in response to a program guide command in a multichannel receiver, the apparatus comprising:

a tuner tuning a channel;

a program guide information detector detecting program guide information introduced via said tuner;

a memory storing the program guide information for each channel detected by said program guide information detector;

a key input introducing a user manipulation command such as a program guide command or a channel search command;

a microprocessor, in response to the manipulation command input via said key input, that

writes a program list based on program guide information stored in said memory, and

searches for accessible channels to obtain program guide information being broadcast by controlling said tuner in a background operation while a user refers to the program list; and

a character signal generator generating a character signal corresponding to the program list written by said microprocessor and providing the character signal to a screen.

20. (AS TWICE AMENDED) The apparatus for acquiring and displaying a program guide command as claimed in claim 19, wherein said microprocessor determines the sequence of accessing channels by the proximity between channels to the channel tuned before the program guide command is executed.

21. (AS TWICE AMENDED) The program guiding apparatus as claimed in claim 20, wherein said microprocessor determines the order of priority of channels having the same proximity according to a user's channel up/down command input via said key input before corresponding channels are accessed.

22. (AS TWICE AMENDED) The program guiding apparatus as claimed in claim 21, wherein said microprocessor searches for channels preferentially in an upward or downward direction when no channel up/down command is executed.

23. (AS TWICE AMENDED) The program guiding apparatus as claimed in claim 19, wherein said microprocessor searches for channels upward or downward from the channel tuned before the program guide command is executed.

24. (AS TWICE AMENDED) The program guiding apparatus as claimed in claim 19, further comprising a probability estimator calculating a probability that channels are to be selected, by accumulating a number of times which the channels are tuned, wherein said microprocessor searches for the channels in an order of priority according to a probability of tuning by the channels calculated by said probability estimator.

25. (AS TWICE AMENDED) The program guiding apparatus as claimed in claim 19, wherein said microprocessor provides to said character signal generator a status message on a message screen in response to the program guide information of a corresponding channel not being stored.

26. (NOT AMENDED) The method as recited in claim 1, wherein the accessible channels include channels accessed by a tuner and channels provided by a line input.

27. (AS ONCE AMENDED) The program guiding method as recited in claim 3, wherein said acquiring the program guide information comprises determining the sequence of accessing channels by proximity of the channels to the channel tuned and by a channel up/down command input just before a channel search is determined.

28. (ONCE AMENDED) An apparatus comprising:

means for detecting program guide information being broadcast corresponding to channels in relation to a tuned channel; and

means for searching for accessible channels of the channels based upon a command received, the program guide information, and a relation to the tuned channel.

29. (NOT AMENDED) The apparatus according to claim 28, wherein the means for searching searches the accessible channels in a preferential manner.